



Complaint About Alleged Behaviour Breach Form
Code of Conduct for Council Members, Committee Members and Candidates

Schedule 1, Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*

To make a valid Behaviour Complaint:

- ☐ The complaint must relate to an alleged breach of the behavioural standards prescribed in Division 3 of the Shire of Nannup Council Member, Committee Member and Candidate Code of Conduct (the Code).
- ☐ Complete all sections of the Complaint Form including any additional information that will support an assessment of the complaint. The Complaint will be assessed based on the information provided only.
- ☐ The completed Complaint Form **MUST** be lodged with the Shire's Complaints Officer within one (1) month after the alleged breach occurred.
- ☐ Anonymous complaints will not be accepted.
- ☐ If the complaint concerns a Candidate, the complaint can only proceed if the Candidate is subsequently elected as a Council Member

Name of person making the Complaint:			
Given Name:		Family Name:	
Contact details of person making the complaint:			
Residential Address:			
Postal Address:			
Contact Number:		Mobile:	
Email:			
Name of local government concerned:		Shire of Nannup	
Name of council member, committee member, candidate alleged to have committed the breach:			
Select the position that the person was fulfilling at the time the person committed the alleged behaviour breach:	Council Member	☐	
	Committee Member	☐	
	Candidate for election	☐	
Date that the alleged behaviour breach occurred and time, if known:			
Location where the alleged behaviour breach occurred:			

Did the alleged conduct occur at a Council or Committee Meeting?	☐ Yes ☐ No
If yes, meeting date:	
Meeting Type:	☐ Ordinary Council Meeting ☐ Special Council Meeting ☐ Committee Meeting ☐ Other: _____
Clause/s alleged to have been breached:	
Clause 8. Personal Integrity	
(1) A council member, committee member or candidate —	
(a) must ensure that their use of social media and other forms of communication complies with this code; and	☐
(b) must only publish material that is factually correct	☐
(2) A council member or committee member —	
(a) must not be impaired by alcohol or drugs in the performance of their official duties; and	☐
(b) must comply with all policies, procedures and resolutions of the local government.	☐
Clause 9. Relationship with others	
A council member, committee member or candidate —	
(a) must not bully or harass another person in any way; and	☐
(b) must deal with the media in a positive and appropriate manner and in accordance with any relevant policy of the local government; and	☐
(c) must not use offensive or derogatory language when referring to another person; and	☐
(d) must not disparage the character of another council member, committee member or candidate or a local government employee in connection with the performance of their official duties; and	☐
(e) must not impute dishonest or unethical motives to another council member, committee member or candidate or a local government employee in connection with the performance of their official duties.	☐
Clause 10. Council or committee meetings	
When attending a council or committee meeting, a council member, committee member or candidate —	
(a) must not act in an abusive or threatening manner towards another person; and	☐
(b) must not make a statement that the member or candidate knows, or could reasonably be expected to know, is false or misleading; and	☐
(c) must not repeatedly disrupt the meeting; and	☐
(d) must comply with any requirements of a local law of the local government relating to the procedures and conduct of council or committee meetings; and	☐

(e)	must comply with any direction given by the person presiding at the meeting; and	☐
(f)	must immediately cease to engage in any conduct that has been ruled out of order by the person presiding at the meeting.	☐
State the full details of the alleged breach. Include: • what occurred; • who was involved; • where it occurred; • when it occurred; • what evidence supports the allegation; and • why you believe the behaviour breaches the nominated clause(s). Attach any supporting evidence to your Complaint		
Witnesses: Provide details of any witnesses to the alleged behaviour.		
Name:		
Contact Details:		
Relevance:		
Supporting Evidence: Please list all supporting documents attached to this complaint:		
☐ Emails ☐ Letters ☐ Meeting Minutes ☐ Meeting Recordings ☐ Social Media Posts ☐ Photographs ☐ Screenshots ☐ Other (specify)		

List attachments:-

Alternative Dispute Resolution:

The Shire of Nannup encourages the early resolution of behavioural complaints where appropriate.

Would you be willing to participate in mediation or another alternative dispute resolution process should this option be offered?

☐ Yes

☐ No

I declare that:

☐ The information provided in this Complaint Form is true and correct to the best of my knowledge.

☐ I believe the behaviour described constitutes a breach of Division 3 of the Council Member, Committee Member and Candidate Code of Conduct.

☐ I understand that the Complaint will be assessed on the information provided.

☐ I understand that information contained in this Complaint may be provided to the Respondent to ensure procedural fairness.

☐ I understand that confidentiality obligations may apply to this Complaint.

COMPLAINANT *please sign and date*

Date:	Signature
Forward to -	Shire of Nannup Complaints Officer PO Box 11 Nannup WA 6275 OR Email: david.taylor@nannup.wa.gov.au ; or Kim.dolzadelli@nannup.wa.gov.au
Received by Complaints Officer – Signature:	
Date Complaint Received:	
Complaint Reference No:	
Acknowledgement Sent:	
Jurisdiction Confirmed	☐ Yes ☐ No
Within Timeframe	☐ Yes ☐ No
Respondent Notified	☐ Yes ☐ No
ADR Offered	☐ Yes ☐ No
Outcome	

NOTE:

Behavioural Breach Complaint - Division 3

- Behavioural complaints are managed under Division 3 of the *Local Government (Model Code of Conduct) Regulations 2021*.
- The Respondent will be provided with a copy of the Complaint and an opportunity to respond.
- The Shire may offer mediation or another dispute resolution process before progression to formal determination.
- A finding may result in no further action, dismissal of the complaint, or the implementation of an Action Plan.
- Certain repeat breaches may be required to be referred to the Inspector in accordance with the Regulations.

Rules of Conduct Complaints (Division 4)

Complaints relating to Rules of Conduct provisions must be lodged using the appropriate prescribed process shown on the Shire's website and are not dealt with using this form